

PUBLIC SAFETY DEPARTMENT[661]

Notice of Intended Action

Proposing rule making related to the Governor's Traffic Safety Bureau and providing an opportunity for public comment

The Public Safety Department hereby proposes to amend Chapter 20, "Governor's Traffic Safety Bureau," Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Executive Order 23, signed June 9, 1986, and 23 U.S.C. 402.

State or Federal Law Implemented

This rule making implements, in whole or in part, Executive Order 23, signed June 9, 1986, and 23 U.S.C. 402.

Purpose and Summary

The purpose of the proposed amendments is to update the process by which applications for funding are submitted and reviewed. Specifically, the exhaustive criteria that were previously listed are being removed and more deference is given to the guidance from the federal government. Additionally, updates are being made throughout to remove references to specific years or versions of documents. This allows the rules to remain unaffected with every change to the federal statute or internal Governor's Traffic Safety Bureau documents.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Pursuant to the provisions of rule 661—10.222(17A), the Department does not have authority to waive requirements established by statute. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to the provisions of rule 661—10.222(17A).

Public Comment

Any interested person may submit written or oral comments concerning this proposed rule making. Written or oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 10, 2020. Comments should be directed to:

Pat Hoye
Governor's Traffic Safety Bureau
Department of Public Safety
Oran Pape State Office Building
215 East 7th Street
Des Moines, Iowa 50319
Phone: 515.725.6120
Email: hoye@dps.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 661—20.2(23USC402,ExecOrd23) as follows:

661—20.2(23USC402,ExecOrd23) Purpose. The purpose of the highway safety program is to provide a coordinated federal, state and local effort to reduce traffic-related deaths, injuries, and property damage crashes.

The following eight highway safety priority areas have been established by the federal government to provide a guide to program involvement and reimbursement: alcohol; police traffic services; emergency medical services; traffic records; occupant restraints; engineering; motorcycles; and pedestrians/bicycles.

NOTE: The federal government may add additional priority areas as traffic trends change.

ITEM 2. Amend subrule 20.3(6) as follows:

20.3(6) Application for funding.

a. Proposals for funding highway safety programs may be submitted ~~at any time during set application time periods~~ by any city, county, or state agency, or nonprofit organization or any other eligible organization or individual.

b. Applications ~~must be received on or before March 1 to be considered~~ for funding in the next federal fiscal year, beginning October 1, must be received on or before March 1 to be considered. Applications for contracts beginning November 1 must be received on or before May 1. The bureau chief of the governor's traffic safety bureau may amend the deadline dates in order to implement projects and special activities as deemed appropriate.

c. Initial proposals should include project title, statement of the highway safety problem to be addressed supported by ~~three years of~~ crash data, what is being proposed to solve the problem, how it will be evaluated, a proposed budget, and a letter of intent accepting responsibility for the proposed project from the responsible authority of the organization making application.

d. Only ~~written~~ requests containing the listed elements will be considered for funding.

e. Assistance in developing and submitting proposals for highway safety funding may be obtained by contacting the ~~Director, Governor's Traffic Safety Bureau, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319, or by electronic~~

~~mail via the Internet~~ governor's traffic safety bureau, Iowa department of public safety, by email at gtsbinfo@safe.ia.gov.

EXCEPTION: Applications for funding of programs pursuant to the authority of 23 U.S.C. 153 must be received by the governor's traffic safety bureau on or before June 1 to be considered for the following federal fiscal year.

ITEM 3. Amend subrule 20.4(1) as follows:

20.4(1) Allocation of federally appropriated funds administered by the governor's traffic safety bureau pursuant to Title 23 U.S.C. ~~as amended through September 1, 1993, Section 402~~, shall be based on: (1) federally mandated projects; and (2) high fatality and personal injury crash causations and locations.

The following criteria will be used to rank Iowa's counties according to the severity of their highway safety problems:

- ~~a. Fatal crashes by county.~~
- ~~b. Personal injury crashes by county.~~
- ~~c. Serious personal injury crashes by county.~~
- ~~d. Alcohol-related fatal crashes by county.~~
- ~~e. Alcohol-related personal injury crashes by county.~~
- ~~f. Vehicle miles of travel by county.~~
- ~~g. Serious traffic offenses by county.~~
- ~~h. Fatal and injury crashes involving motorcycles by county.~~
- ~~i. Fatal and injury crashes involving pedestrians and bicycles by county.~~

~~Eligibility of counties, and cities within those counties, for the limited federal funds available will be determined according to county rankings on the nine listed criteria.~~

NOTE: The governor's traffic safety bureau shall refer to current federal authorization to dictate how funds are distributed.

ITEM 4. Amend rule 661—20.5(23USC402,ExecOrd23) as follows:

661—20.5(23USC402,ExecOrd23) Program requirements.

20.5(1) All approved programs funded by the governor's traffic safety bureau must be administered in compliance with the current version of the Iowa Governor's Traffic Safety Bureau Policies and Procedures Manual, ~~1993~~.

20.5(2) Highway safety contract procedures and reporting forms and their explanations are contained in the current version of the Iowa Governor's Traffic Safety Bureau Policies and Procedures Manual, ~~1993~~.

20.5(3) Single copies of the current version of the Iowa Governor's Traffic Safety Bureau Policies and Procedures Manual may be obtained on request from the ~~Director~~, Governor's Traffic Safety Bureau, Iowa Department of Public Safety, State Public Safety Headquarters Building, 215 East 7th Street, Des Moines, Iowa 50319.

ITEM 5. Amend **661—Chapter 20**, implementation sentence, as follows:

These rules are intended to implement Title 23 U.S.C., Section 402, ~~as amended through September 1, 1993~~, and Governor's Executive Order Number Twenty-Three, signed June 9, 1986.